

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

STEVEN E. SHUDA,

Plaintiff,

vs.

DOUGLAS COUNTY OFFICIALS,  
CHELAN COUNTY OFFICIALS,  
OKANOGAN COUNTY OFFICIALS,  
and STATE OF WASHINGTON  
OFFICIALS,

Defendants.

No. 2:15-CV-97-RMP

ORDER ADOPTING REPORT AND  
RECOMMENDATION AND  
DISMISSING COMPLAINT

**28 U.S.C §§ 1915, 1915A**

BEFORE THE COURT is Magistrate Judge John T. Rodger's Report and Recommendation to dismiss the complaint for failure to state a claim upon which relief may be granted. ECF No. 14. A copy of the Report and Recommendation, mailed to Plaintiff at the address he provided in Ronald, Washington, was returned as undeliverable on September 14, 2015. *See* ECF No. 15. Plaintiff, a *pro se* litigant, has not kept the Court apprised of his current address and has not filed anything further in this action.

ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING  
COMPLAINT - 1

1 Plaintiff initiated this action while a prisoner at Okanogan County  
2 Corrections. After he was released from incarceration, the Court granted him leave  
3 to proceed *in forma pauperis*. ECF No. 11.  
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5 There being no objections and for the reasons set forth by Magistrate Judge  
6 Rodgers, **IT IS ORDERED** the Report and Recommendation, ECF No. 14, is  
7 **ADOPTED in its entirety** and the Complaint, ECF No. 12, is **DISMISSED** for  
8 failure to state a claim under 28 U.S.C. §§ 1915(e)(2) and 1915A(b)(1).  
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10 Pursuant to 28 U.S.C. § 1915(g), enacted April 26, 1996, a prisoner who  
11 brings three or more civil actions or appeals which are dismissed as frivolous or for  
12 failure to state a claim will be precluded from bringing any other civil action or  
13 appeal *in forma pauperis* “unless the prisoner is under imminent danger of serious  
14 physical injury.” 28 U.S.C. § 1915(g). **Plaintiff is advised to read the statutory**  
15 **provisions under 28 U.S.C. § 1915. This dismissal of Plaintiff's complaint may**  
16 **count as one of the three dismissals allowed by 28 U.S.C. § 1915(g) and may**  
17 **adversely affect his ability to file future claims.**  
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22 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
23 Order, enter judgment, forward copies to Plaintiff at his last known address, and  
24 close the file. The District Court Executive is further directed to forward a copy of  
25 this Order to the Office of the Attorney General of Washington, Criminal Justice  
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28 ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING  
COMPLAINT - 2

1 Division. The Court certifies that any appeal of this dismissal would not be taken in  
2 good faith.

3 **DATED** this 29th day of September 2015.  
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5  
6 *s/ Rosanna Malouf Peterson*  
7 ROSANNA MALOUF PETERSON  
8 Chief United States District Court Judge  
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